

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

No. 11-cr-175 (MJD/LIB)

REGINALD JOHN WIND, JR.,

Defendant.

Deidre Aanstad, Assistant United States Attorney, Counsel for Plaintiff.

Douglas Olson, Office of the Federal Defender, Counsel for Defendant.

I. Introduction

This matter is before the court on motions in limine by the Government [Docket No. 41.] and by Defendant Reginald John Wind, Jr. [Docket No. 43.]

Based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Government's motion to examine Jane Doe #1 with language, questions, and in a manner suitable to the child's age and development, and to use leading questions with Jane Doe #1 [Docket No. 41] is **GRANTED**.

2. Defendant's motions in limine [Docket No. 43] are **DENIED** as follows:

- a. Defendant's motion to excluded evidence under Federal Rule 404(b) is **DENIED AS MOOT** because the government has not moved to admit any such evidence.
- b. Defendant's motion to exclude any out-of-court statements of the victim is **DENIED** as to statements made by the victim to her mother immediately after the incident and to statements made to Sexual Assault Nurse Examiner Kaye Rodgers.
- c. Defendant's motion to exclude any expert (or non-expert) opinions concerning the credibility of the victims' claims; or expert opinions that the lack of forensic evidence is consistent with the victim's claims is **DENIED**.

Dated: October 24, 2011

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court